IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

MONDAY, THE 5TH MARCH 2007 / 14TH PHALGUNA 1928

WP(C).No. 5202 of 2007(T)

OPMV.930/1998 of MOTOR ACCIDENT CLAIMS TRIBUNAL, IRINJALAKUDA
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PETITIONER:

BABU AGED 56, S/O.K.V.JACOB, KOKKAT HOUSE, KUZHIYARA P.O, CHOTTANIKARA,ERNAKULAM DIST.

BY ADV. SRI.G.SREEKUMAR (CHELUR)
SRI.K.RAVI (PARIYARATH)

RESPONDENTS:
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1. THE DISTRICT COLLECTOR, COLLECTORATE, ERNAKULAM.

2. THE DEPUTY TAHSILDAR, REVENUE RECOVERY, KANAYANNUR TALUK OFFICE, ERNAKULAM, KOCHI.

3. THE VILLAGE OFFICER, KANAYANNUR VILLAGE OFFICE, ERNAKULAM DISTRICT.

BY GOVERNMENT PLEADER SMT. M.K.PUSHPALATHA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05/03/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR,J.

WP(C)NO.5202 OF 2007-T

Judgment

The petitioner herein was the respondent in OP(MV)No.930/98 on the files of the MACT, Irinjalakuda. He was the registered owner of a vehicle, which was involved in the accident. The injured filed the above claim petition. The petitioner and his driver were parties, apart from the Insurance Company. The petitioner submits, his driver did not produce his driving licence, though he had one, at the relevant time. So, the MACT, while passing the award, issued a direction that the Insurance Company should pay the amount to the claimant and thereafter, it can recover the same from the owner and the driver of the vehicle. Based on the said direction, revenue recovery steps have been taken against the petitioner by issuing Exts.P1 and P2 notices. The petitioner submits, he is making arrangement for filing an appeal against the award. He has already remitted Rs.30,000/- before the MACT and Rs.1,500/- before the Tahsildar and he prays for some time to pay the balance amount without prejudice to his right to challenge the award before this Court by filing an appeal. The petitioner may pay the balance amount in two instalments. The first instalment shall be paid on or before 04.04.2007 and the balance shall be paid on or before 04.05.2007. This payment will be without prejudice to his contentions against the award.

The Writ Petition is disposed of as above.

05.03.2007 **K.BALAKRISHNAN NAIR,JUDGE**

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